

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

CHESTER RAY BROWN

Plaintiff,

v.

PAVESTONE COMPANY, LLC,

Defendant.

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No. 11-00679-CV-W-FJG

**ORDER**

Pending before the Court is Defendant Pavestone Company, LLC's Unopposed Motion to Stay Proceedings (Doc. No. 12).

On July 11, 2011, the above-styled action was removed from the Circuit Court of Jackson County, Missouri to this Court (Doc. No. 1). On August 4, 2011, Plaintiff Chester Ray Brown and Joann Marie Brown filed with the United States Bankruptcy Court for the Western District of Missouri their voluntary Joint Petition pursuant to Chapter 7 of Title II of the United States Code which commenced Case No. 11-43667-DRD ("Bankruptcy Case"). The Trustee, Jerald S. Enslein, was appointed by the United States Trustee to serve as interim trustee in the Bankruptcy Case pursuant to 11 U.S.C. §701(a)(1) and he serves as Trustee pursuant to 11 U.S.C. §701(c). As such, the Trustee became the real party in interest in this case on August 4, 2011. On January 12, 2012, the Court granted the Trustee's Motion for Substitution of Party (Doc. No. 16). This allowed the Trustee, Jerald S. Enslein, in his official capacity, to be substituted as the Plaintiff in the above-styled action pursuant to Federal Rule of Civil Procedure 25(c) (Doc. No. 16).

The parties now request the Court stay this action until February 23, 2012 (Doc. No. 12). The parties request this stay to give them time to work through the bankruptcy issues still pending and also to participate in meaningful settlement negotiations. As such, Defendant Pavestone Company, LLC's Unopposed Motion to Stay Proceedings (Doc. No. 12) is hereby **GRANTED**. The above-styled action is **stayed until February 23, 2012** at which time the parties are to file a status report with the Court.

**IT IS SO ORDERED.**

Date: 1/18/2012  
Kansas City, Missouri

**S/ FERNANDO J. GAITAN, JR.**  
Fernando J. Gaitan, Jr.  
Chief United States District Judge